MINIMUM FILING FEE: \$100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of critises required, see
booklet "How to Fite an Application to
Appropriate Water in California")

# STATE OF CALIFORNIA State Water Resources Control Board DIVISION OF WATER RIGHTS

901 P Street, Sacramento P. O. Box 2000, Sacramento, CA 95812-2000

2003 JAN 22 AN 10:

### **APPLICATION TO APPROPRIATE WATER BY PERMIT**

Application No. 31386 = (Leave blank)

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c/o Susan	ne Zech	[E1 PP. 100 N/				between	8 a, m. and 5	p. m Inoki	ide area codi
P.O. Box	611		Н	opland			CA	9	5449
(Mailing add	irass)			(City or town	1)		(State)	(Zļŗ	code)
SOURCE									
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tributary to Se	e Attach	nment		is nausuman.	erate hivi u	ia aks milia	LING SILENIII'S	ինա <b>ը, թ.</b> բ.)	•
o. In a normal year do what months is it u What alternate sou excluded because	oes the stream sually dry? Fro rces are availal	dry up at any po omble to your proje	June ct should a	portion of you	r request	to ed direct	Septe diversion s	mber eason be	
OINTS of DIVER	ISION and R	EDIVERSIO	N						
ı. The point(s) of dive	orsion will be in	the County of	Mend	locino	<u></u>		····		
	oordinate distances slowed by Board re mia Coordinate Sy	guiations ), s.	4	Point is within 0-scre subdivision	1)	Section	Township	Range	Base and Meridian
See Atta	chment			1/4 of	1/4				,
				1/4 of	1/4			<del></del>	
,				1/4 of	1/4				
. Does applicant ow	ot own the land ss: <u>N/A</u>	at point of diver	slon, state r		ress of o	wner and	what steps		FORQUES-R
URPOSE of USE.  In the table below, and the dates between	•	•		os appropriate	ed, the qu rate is le	ientities : se than 0	ol water for .025 cubic	foot per t	second
•	•	•	water is to to e. Use gald ist only be "	pe appropriate ons per day if Domestic <sup>®</sup> for	ed, the qu rate is le registra	ientities o se then O tion of an	BTORAGE		
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46

acre-leet.

### 5. JUSTIFICATION OF AMOUNT

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		The frost	protection se	ason \	will begin about	77.03	er	nd end ab	out	_ <u>a</u> pn	i per acre.
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hara marca											
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b.	Diversion will	be by pu	mping from	imp, offset w	OD's 1, (Dam, pipe in univel), channel, reservo	betructed Pur r, etc.)	ohan mp d	nel, pipe through Ischarge rate	n dam, alphon,		•
U.	CONDUIT	uiversion	MATERIAL		CROSS SECTIONA	_			7		
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									1		
	2 →3		PVC		6"			<u>±1500</u>	270	<del></del>	1 cf
, d.	2→3	rvoirs: (Fo		nd storage	6" , complete Supp	ement 1	to V	·		est.)	1 cf
ď.	2→3	voirs: (Fo	r undergroun			ement 1	l to V	VR1, availab		est.)	
<b>d.</b>	2→3	mbar al		int sam	, complete Supp	ement 1  Dam fer (ft.)	ngth .	VR1, availab Freeboard Dam height above spillway			R Maximi water de
d. : #1	2 → 3 Storage reser	mber of If any	r undergroun  Verlical helg from downetre toe of slape	int sam to (ft.)	, complete Supp  DAM  Construction	Dam ler	ngth .	VR1, availab Freeboard Dam helght	e upon requ Approximate surface area when full	RESERVOI Approximate capacity	R Maxim water de
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If no, I Is It pl c. List the diversi	anned to Individual e names and addre ion: <u>See fi</u>	ese lands co lly meter ead esses of dive les of	entemplated? ch service con erters of water SWRCB		NO [XX] If ye supply downstre	es, When?	oposed point of
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_	ı claim an existing complete table bel	-	use of all or	part of the water soug	ght by this appli	cation? YES	] NOXX
Ni (dowler, sp	sture of Flight propriative, groundwater.)	Year of First Use	Purpose of u	se made in recent years g amount, if known	Season of Use	Bource	Location of Point of Diversion
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9. GENERAL

NOTE:
if this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.
There is no additional fee for registration of small domestic.

FOR0063-R2

#### ATTACHMENT TO APPLICATION BY FETZER VINEYARDS Butler Ranch

<u>Item 2a.</u>	Source
POD	Source/Tributary
#1	Unnamed Stream tributary to Unnamed Stream thence Russian River thence Pacific Ocean.
#2	Unnamed Stream tributary to Unnamed Stream thence Russian River thence Pacific Ocean.
#3	Unnamed Stream tributary to Unnamed Stream thence Robinson Creek thence Russian River thence Pacific Ocean.

Item 3b.	Points of Diversion and Rediversion
Map <u>Point</u>	<u>Description</u>
#1	Point of Diversion by Collection to Storage in Lower Reservoir (Res. #1), and Point of Diversion to Off-stream Storage at Point 2: Located N.512,550 and E.1,660,700 California Coordinate System, Zone 2. Being within the SE¼ of SE¼ of Section 17, T14N, R12W, MDB&M.
#2	Point of Diversion by Collection to Storage in Middle Reservoir (Res. #2), Point of Diversion to Off-stream Storage at Point 3, and Point of Rediversion for Water Diverted at Point 1: Located N.512,250 and E.1,660,100 California Coordinate System, Zone 2. Being within the SE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> of Section 17, T14N, R12W, MDB&M.
#3	Point of Diversion by Collection to Storage in Upper Reservoir (Res. #3), Point of Storage for Water Diverted at Point 2, and Point of Rediversion for Water Diverted at Points 1 & 2: Located N.510,600 and E.1,659,300 California Coordinate System, Zone 2. Being within the NW¼ of NE¼ and the NE¼ of NE¼, Section 20, T14N, R12W, MDB&M.

Item 6b. Place of Use

Use is Within	Section	<u>Township</u>	Range	<u>B,&amp;M.</u>	Acres	Previously <u>Cultivated</u>
SW¼ of NE¼	17	T.14N.	R.12W.	M.D.	6 -	Yes
NW1/4 of SE1/4	17	T.14N.	R.12W.	M.D.	7 ~	Yes
SW¼ of SE¼	17	T.14N.	R.12W.	M.D.	4 /	Yes
SE¼ of SE¼	17	T.14N.	R.12W.	M.D.	18 /	Yes
NW <sup>1</sup> / <sub>4</sub> of NE <sup>1</sup> / <sub>4</sub>	20	T.14N.	R.12W.	M.D.	2 /	Yes
NE¼ of NE¼	20	T.14N.	R.12W.	M.D.	24 /	Yes
SW1/4 of NE1/4	20	T.14N.	R.12W.	M.D.	3 -	Yes
SE¼ of NE¼	20	T.14N.	R.12W.	M.D.	10	Yes
NW1/4 of SE1/4	20	T.14N.	R.12W.	M.D.	6	Yes
NE <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub>	20	T.14N.	R.12W.	M.D.	2	Yes
NW1/4 of NW1/4	21	T.14N.	R.12W.	M.D.	9	Yes
NE¼ of NW¼	21	T.14N.	R.12W.	M.D.	6	Yes
SW <sup>1</sup> / <sub>4</sub> of NW <sup>1</sup> / <sub>4</sub>	21	T.14N.	R.12W.	M.D.	5	Yes
SE1/4 of NW1/4	21	T.14N.	R.12W.	M.D.	3	Yes
				TOTAL	105	·

# STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

901 P Street, Sacramento P. O. Box 2000, Sacramento, CA 95810

## APPLICATION TO APPROPRIATE WATER BY PERMIT ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. (leave blank)

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

#### PROJECT DESCRIPTION

1. Provide a brief description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This project involves the diversion of water from an unnamed stream tributary to Robinson Creek thence the Russian River, and two unnamed streams tributary to the Russian River for storage of water in 3 existing onstream reservoirs (POD #1,2 and 3), located on the Applicant's property. In addition, the Applicant rediverts water from storage Reservoir #1 (POD#1) to storage Reservoir #2 (POD #2) via a 6-inch pipeline. Water is also rediverted from storage Reservoir #2 to the largest storage structure on the property, storage Reservoir #3 (POD #3) via a 6-inch pipeline. The water is used for irrigation and dust control of 105 acres of existing vineyard, and for incidental recreational purposes and fire protection at the reservoirs. The capacity of Reservoir #1 is 11 acre-feet, the capacity of Reservoir #2 is 7 acre-feet, and the capacity of Reservoir #3 is 28 acre-feet. The total amount of water sought by this application shall not exceed 46 acre-feet per year.

#### **GOVERNMENTAL REQUIREMENTS**

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your project by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2.	Cont	act your county planning or public works depart	ment for the following information:							
	(a)	Person contacted Mendocino County	Date of contact							
		Department Planning & Building	Telephone (707) 463-4281							
	(b)		46-300-013 (3) 046-300-027 (4) 046-300-046							
		(5) 046-300-049 (6) 046-300-05 <u>1</u>								
	(c)	County Zoning Designation (1) and (4) and (6)	RangeLand-160, (3) Upland Residential 40-acre							
		minimum, (2) and (5) RangeLand-160 Type II Preserve.								
	(d)	Are any county permits required for your project? Yes If you answered yes, check appropriate spaces below:								
		✓ Grading Permit, Use Per	mit, Watercourse Obstruction Permit,							
			Plan Change, Other explain:							
	(e)	Have you obtained any of the required permits provide a complete copy of each permit obtain	described above? <u>N/A</u> If you answered yes, ed.							
3.	Regi Depa State	any additional state or federal permits required for alatory Commission, U.S. Forest Service, Bureau artment of Water Resources (Division of Safety of a Lands Commission, etc.] For each agency from smation:	of Land Management, Soil Conservation Service, Dams), Reclamation Board, Coastal Commission,							
	Pern	nit type								
	Pers	on contacted	Agency							
			one ( )							

4.	Has any public agency prepared an environmental document for any aspect of your project? No If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.
	If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing and environmental document for your project or whether the applicant if it is a California public agency, will be preparing the environmental document for your project:  The Applicant expects the State Water Resources Control Board will be the lead agency in preparing
	the appropriate environmental documents for this project.
	Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your water right application cannot proceed until such documents are submitted.
5.	Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain:
	If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Contro Board for the following information (See attachment for address and telephone number):  Will a waste discharge permit be required for your project?
	Person contacted Date of contact
	What method of treatment and disposal will be used?
6.	Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No
	Do you know of any archeological or historical sites located within the general project area? No
	If so, explain:

#### **ENVIRONMENTAL SETTING**

- 7. Attach <u>THREE COMPLETE SETS</u> of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
  - (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
  - (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
  - (c) At the place(s) where the water is to be used

Note: It is very important that you submit no less than <u>three complete sets</u> of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

#### Tree Dominated Communities

Subalpine Conifer

Red Fir

Lodgepole Pine Mixed Conifer

Sierran Mixed Conifer

White Fir

Klamath Mixed Conifer

Douglas-Fir Jeffrey Pine Ponderosa Pine Eastside Pine Redwood

Pinyon-Juniper

Juniper Aspen

Closed-Cone Pine-Cypress Montane Hardwood-Conifer

Montane Hardwood

Valley Foothill Hardwood Blue Oak Woodland

√ Valley Oak Woodland Coastal Oak Woodland

Valley Foothill Hardwood-Conifer

Blue Oak-Digger Pine

Eucalyptus

Montane Riparian

Valley Foothill Riparian

Desert Riparian Palm Oasis

Joshua Tree

#### Shrub Dominated Communities

Alpine Dwarf-Shrub

Low Sage Bitterbrush Sagebrush

Montane Chaparral Mixed Chaparral

Chamise-Redshank Chaparral

Coastal Scrub

Desert Succulent Shrub

Desert Wash Desert Scrub

Alkali Desert Scrub

#### Herbaceous Dominated Communities

Annual Grassland Perennial Grassland

Wet Meadow

Fresh Emergent Wetland Saline Emergent Wetland

Pasture

#### **Aquatic Communities**

Riverine

√ Lacustrine Estuarine

Marine

#### **Developed Communities**

Cropland

√ Orchard-Vineyard

Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to construction and operation of your project. Consider all aspects of your project, including diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

Future impacts on trees and shrubs in the project area will be minimal. All storage facilities are existing with no enlargements proposed. All of the project lands are existing. A biological survey is planned for the Spring of 2003. The attached aerial photograph shows the location of two of the three existing reservoirs, and a majority of the existing vineyard areas.

#### FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project (Note: See footnote denoted by \* under Question 11 below):

All of the Unnamed Streams at Points of Diversion #1, #2, and #3 are ephemeral and do not support fishery habitat. All diversion structures are also existing, so there will be no additional impacts to the fishery habitat downstream of the project area. The locations of the three reservoirs is in accordance with SWRCB policy which sets forth that storage reservoirs shall not be located on any watercourse which has fishery habitat value.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and changes in the places of water use (Note: See footnote denoted by \* below):

The property has historically been cultivated in pasture and orchards for over 100 years. There will be no future impacts on riparian or terrestrial wildlife habitat. All diversion structures and the irrigated lands are presently in use.

\*Note: The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near your, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12.	Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? <u>No</u>
	If so, explain:
<u>CE</u> ]	RTIFICATION
of n	reby certify that the statements I have furnished above and in the attached exhibits are complete to the best by ability, and that the facts, statements, and information presented are true and correct to the best of my wledge.
Date	Signature

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